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January 11, 2010

VIA FEDERAL EXPRESS

Mr. Craig Whitenack
Civil Investigator
United States Environmental Protection Agency
Region IX, Southern California Field Office
600 Wilshire Avenue
Suite 1420
Los Angeles, California 90017

**Re: Yosemite Creek Superfund Site, San Francisco, California --
Response to 104(e) Information Request**

Dear Mr. Whitenack:

This letter responds to the United States Environmental Protection Agency's ("EPA") October 15, 2009 Request for Information pursuant to Section 104(e) of Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") ("104(e) Request"), sent to Honeywell International Inc. ("Honeywell") as successor to Baron Blakeslee, Inc. with regard to the Yosemite Creek Superfund Site ("Site").

Subject to both the general and specific objections noted below, and without waiving these or other available objections or privileges, Honeywell submits the following in response to the 104(e) request and in accordance with the January 11, 2010 due date established by EPA:

BACKGROUND

As EPA is aware, in 1992, in response to an investigation by the California Department of Toxic Substances Control ("DTSC"), Honeywell's predecessor, AlliedSignal Inc. ("AlliedSignal"), conducted a review of its records, as well as interviews of employees likely to have or reflect information relevant to the Bay Area Drum State Superfund Site at 1212 Thomas Avenue in San Francisco, California ("BAD Site"). AlliedSignal submitted its response to the DTSC on January 20, 1992 ("1992

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Response"). In the 1992 Response, AlliedSignal informed the DTSC that the only information found regarding any relationship of Baron Blakeslee, Inc. to the BAD Site was contained in four manifests for the disposal or refurbishing of RCRA-empty drums in 1986 and 1987. A copy of the response is attached. In 1995, AlliedSignal entered into a *De Minimis Buy-Out and Indemnity Agreement Between the Bay Area Drum Ad Hoc PRP Group and Certain De Minimis PRPs* ("*De Minimis Settlement Agreement*"). Accordingly, as noted in Nicholas van Aelstyn's June 30, 2008 letter to Mr. Michael Massey of EPA, the BAD Ad Hoc PRP Group is providing Honeywell with a defense to EPA's claims with respect to the Yosemite Creek Site. Given that it has been some eighteen years since AlliedSignal provided information in response to the DTSC's investigation, and fourteen years since the execution of the *De Minimis Settlement Agreement*, Honeywell's ability to provide information in response to this 104(e) Request is somewhat diminished. Nevertheless, in a good faith effort to comply and cooperate, Honeywell reviewed its files and confirmed that it is unable to locate any information other than that provided in conjunction with the 1992 Response.

In responding to the 104(e) Request, Honeywell has undertaken a diligent and good faith search for, and review of, documents and information in its possession, custody or control and that are relevant to this matter. However, the 104(e) Request purports to seek a great deal of information that is not relevant to the Site or alleged contamination at the Site. For example, while we understand the basis of the purported connection between Honeywell and the BAD Site, certain questions seek information regarding facilities other than the BAD Site, including *all* facilities in California and *all* facilities outside California that shipped drums or other containers to *any* location in the entire state of California. These other facilities have no nexus to the Site. Because such questions are not relevant to the Site, they are beyond the scope of EPA's authority as set forth in Section 104(e)(2)(A) (EPA may request information "relevant to . . . [t]he identification, nature, and quantity of materials which have been . . . transported to a . . . facility").

The 104(e) Request also defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, dichlorodiphenyltrichloroethane ("DDT"), chlordane, dieldrin, and polychlorinated biphenyls ("PCBs")." However, certain 104(e) Requests also seek information regarding hazardous substances more broadly. These requests go beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and are not relevant to the Site pursuant to Section 104; thus, Honeywell has limited its review of documents and information to the COCs identified by EPA.

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As noted above, the DTSC conducted an extensive investigation of the BAD Site and Honeywell's operations in connection with it, including an information request. Thus, the DTSC files include Honeywell's 1992 Response, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA. Thus, the focus of Honeywell's identification, review and retrieval of documents has been upon data that has not been previously provided to EPA, DTSC or any other governmental agency that is relevant to the Site.

GENERAL OBJECTIONS

Honeywell asserts the following general privileges, protections and objections with respect to the 104(e) Request and each information request therein:

1. Honeywell asserts all privileges and protections it has with regard to the documents and other information sought by EPA, including the attorney-client privilege, the attorney work product doctrine, all privileges and protections related to materials generated in anticipation of litigation, the settlement communication protection, the confidential business information ("CBI") and trade secret protections, and any other privilege or protection available to it under law. In the event that a privileged or protected document has been inadvertently included among the documents produced in response to the 104(e) Request, Honeywell asks that any such document be returned to Honeywell immediately, and hereby states for the record that it is not thereby waiving any available privilege or protection as to any such document.

2. Honeywell objects to any requirement to produce documents or information already in the possession of a government agency, including but not limited to DTSC, or already in the public domain. As noted above, DTSC conducted an extensive investigation of the BAD Site and Honeywell's operations in connection therewith. DTSC's investigation included an information request to Honeywell's predecessor, and the DTSC files include the 1992 Response to DTSC's information request. EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA. Notwithstanding this objection, and without waiving it, Honeywell may produce certain information or documents in its possession, custody, or control that it previously provided to or obtained from government agencies that contain information responsive to the 104(e) Request.

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3. Honeywell objects to Instruction 4 to the extent it seeks to require Honeywell, if information responsive to the 104(e) Request is not in its possession, custody or control, to identify any and all persons from whom such information "may be obtained." Honeywell is aware of no obligation that it has under Section 104(e) to identify all other persons who may have information responsive to EPA information requests and is not otherwise in a position to identify all such persons who may have such information.

4. Honeywell objects to Instruction 5 on the ground that EPA has no authority to impose a continuing obligation on Honeywell to supplement these responses. Honeywell will, of course, comply with any lawful future requests that are within EPA's authority.

5. Honeywell objects to Instruction 6 in that it purports to require Honeywell to seek and collect information and documents in the possession, custody or control of individuals not within the custody or control of Honeywell. EPA lacks the authority to require Honeywell to seek information not in its possession, custody or control.

6. Honeywell objects to the 104(e) Request's definition of "document" or "documents" in Definition 3 to the extent it extends to documents not in Honeywell's possession, custody, or control. Honeywell disclaims any responsibility to search for, locate, and provide EPA copies of any documents "known [by Honeywell] to exist" but not in Honeywell's possession, custody or control.

7. Honeywell objects to the 104(e) Request's definition of "Facility" or "Facilities" in Definition 4 because the terms are overbroad to the extent that they extend to facilities with no connection to either the Site or the BAD Site. Moreover, the term "Facilities" as defined in the 104(e) Request is confusing and unintelligible as the term is defined as having separate meanings in Definition 4 and Request No. 3.

8. Honeywell objects to the definition of "you," "Respondent," "the company," "your" and "your company" in Definition 14 because the terms are overbroad and it is not possible for Honeywell to answer questions on behalf of all the persons and entities identified therein. Notwithstanding this objection, and without waiving it, Honeywell has undertaken a diligent and good faith effort to locate and furnish documents and information in its possession, custody, and control that are responsive to the 104(e) Request.

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RESPONSES TO OCTOBER 15, 2009 EPA INFORMATION REQUESTS

1. *Describe generally the nature of the business conducted by Respondent and identify the products manufactured, formulated, or prepared by Respondent throughout its history of operations.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad and unduly burdensome. Identifying each of the products manufactured by Honeywell is not feasible due to its more than 100-year history, which includes a wide variety of operations in locations all over the world. For a general overview of the scope of Honeywell's operations, please refer to Honeywell's website (www.honeywell.com).

2. *Provide the name (or other identifier) and address of any facilities where Respondent carried out operations between 1940 and 1988 (the "Relevant Time Period") and that: (a) ever shipped drums or other containers to the BAD Site for recycling, cleaning, reuse, disposal, or sale; (b) are/were located in California (excluding locations where ONLY clerical/office work was performed); (c) are/were located outside of California and shipped any drums or other containers to California for recycling, cleaning, reuse, disposal, or sale (for drums and containers that were shipped to California for sale, include in your response only transactions where the drums and containers themselves were an object of the sale, not transactions where the sole object of the sale was useful product contained in a drum or other container).*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, in addition to facilities with a connection to the BAD Site, Request No. 2 purports to also seek information regarding *any* facility located in California (excluding locations where *only* clerical/office work was performed) and *any* facility located outside of California that shipped drums or other containers to *any* location in California, even to locations other than the BAD Site. These other facilities have no nexus with the BAD Site, and thus this request seeks information that is not relevant to the Site.

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Notwithstanding the foregoing, and without any waiver of its objections, as set forth in the 1992 Response, the only Honeywell-related facility known or believed have had any dealings with the BAD Site is the Baron-Blakeslee facility located at 8333 Enterprise Drive, Newark, California 94560 ("Facility"). The Facility operated as a terminal for the storage and distribution of drums chemical products and recovery of chlorinated and fluorinated solvents, as well as smaller quantities of alcohols and ketones, from 1974 until 1993.

The majority of drums used were steel, class 17E or 17F, 55-gallon capacity. Approximately 10-15% of the drums were 5-gallon steel pails. The specific number of drums obtained is unknown, but is estimated to have been approximately 5,000 to 6,000 per year in the mid-1980s. The number of drums stored at the Facility per month during the 1980s is estimated as follows: (1) 600 55-gallon drums of commercial product; (2) 90 55-gallon drums of material to be recycled or otherwise disposed; and (3) 400 5-gallon pails of material to be recycled or otherwise disposed. After use, the drums were either refilled with fresh product for sale, or sent out for refurbishing or scrapping. Such drums were RCRA-empty, as residual levels in drums were verified by insertion of a sampler or by visual observation.

The only information found concerning a link between the Facility and the BAD Site is contained in the four manifests submitted with the 1992 Response for the disposal or refurbishing of RCRA-empty drums in 1986 and 1987. These manifests were accompanied by copies of corresponding purchase requisitions and ledger entries. These ledger sheets also reflect shipments of drums to other entities.

3. *Provide a brief description of the nature of Respondent's operations at each Facility identified in your response to Question 2 (the "Facilities") including: (a) the date such operations commenced and concluded; and (b) the types of work performed at each location over time, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. In particular, but without limiting the generality of the foregoing objection, Honeywell objects to the request in subsection (b) that it describe "types of work performed at each location over time" Without an identification by EPA of the

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types of work it is referring to, it would be virtually impossible, given the broad nature of possible work at various facilities, to describe each and every type of work that was performed at any facility. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

4. *For each Facility, describe the types of records regarding the storage, production, purchasing, and use of Substances of Interest ("SOI") during the Relevant Time Period that still exist and the periods of time covered by each type of record.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome to the extent it seeks to require Honeywell to describe "types of records." Where documents have been provided in response to this 104(e) Request, each and every document regarding SOIs is not also "identified" by describing its contents. Honeywell further objects to Request No. 4 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus Honeywell has limited its review of documents and information to the COCs identified by EPA.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

5. *Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store one of the COCs (including any substances or wastes containing the COCs) at any of the Facilities? State the factual basis for your response.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. By removing any temporal limit and any nexus between COCs at Honeywell's Facilities and the BAD Site, Request No. 5 purports to seek information relating to Honeywell's Facilities that is not relevant to contamination at the Site.

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Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

6. *If the answer to Question 5 is yes, identify each COC produced, purchased, used, or stored at each Facility.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2 and 5.

7. *If the answer to Question 5 is yes, identify the time period during which each COC was produced, purchased, used, or stored at each Facility.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2 and 5.

8. *If the answer to Question 5 is yes, identify the average annual quantity of each COC produced, purchased, used, or stored at each Facility.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2 and 5.

9. *If the answer to Question 5 is yes, identify the volume of each COC disposed by the Facility annually and describe the method and location of disposal.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2 and 5.

10. *Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store hydraulic oil or transformer oil at any of the Facilities? State the factual basis for your response to this question.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and

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unduly burdensome. By removing any temporal limit and any nexus between hydraulic fuel or transformer oil at Honeywell's Facilities and the BAD Site, Request No. 10 purports to seek information relating to Honeywell's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's responses to Questions 2 and 5.

11. *If the answer to Question 10 is yes, identify each specific type of hydraulic oil and transformer oil produced, purchased, used, or stored at each Facility.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2, 5 and 10.

12. *If the answer to Question 10 is yes, identify the time period during which each type of hydraulic oil and transformer oil was produced, purchased, used, or stored.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2, 5 and 10.

13. *If the answer to Question 10 is yes, identify the average annual quantity of each type hydraulic oil and transformer oil purchased, produced, used, or stored at each Facility.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2, 5 and 10.

14. *If the answer to Question 10 is yes, identify the volume of each hydraulic oil and transformer oil disposed by the Facility annually and describe the method and location of disposal.*

RESPONSE:

Please refer to Honeywell's responses to Questions 2, 5 and 10.

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15. *Provide the following information for each SOI (SOIs include any substance or waste containing the SOI) identified in your responses to Questions 5 and 10: (a) Describe briefly the purpose for which each SOI was used at the Facility. If there was more than one use, describe each use and the time period for each use; (b) Identify the supplier(s) of the SOIs and the time period during which they supplied the SOIs, and provide copies of all contracts, service orders, shipping manifests, invoices, receipts, canceled checks and other documents pertaining to the procurement of the SOI; (c) State whether the SOIs were delivered to the Facility in bulk or in closed containers, and describe any changes in the method of delivery over time; (d) Describe how, where, when, and by whom the containers used to store the SOIs (or in which the SOIs were purchased) were cleaned, removed from the Facility, and/or disposed of, and describe any changes in cleaning, removal, or disposal practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Request No. 15 purports to seek information relating to Honeywell's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's responses to Questions 2, 5 and 10.

16. *For each SOI delivered to the Facilities in closed containers, describe the containers, including but not limited to: (a) the type of container (e.g. 55 gal. drum, tote, etc.); (b) whether the containers were new or used; and (c) if the containers were used, a description of the prior use of the container.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Request No. 16 purports to seek information relating to Honeywell's Facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

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17. *For each container that Respondent used to store a SOI or in which SOIs were purchased ("Substance-Holding Containers" or "SHCs") that was later removed from the Facility, provide a complete description of where the SHCs were sent and the circumstances under which the SHCs were removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Honeywell further objects to Request No. 17 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that BAD operated in this way or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Request No. 17 purports to seek information that does not exist.

Honeywell further objects to Request No. 17 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus Honeywell has limited its review of documents and information to the COCs identified by EPA.

Additionally, as stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 17 purports to seek information regarding SHCs that were sent to sites other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

18. *For each SHC that was removed from the Facility, describe Respondent's contracts, agreements, or other arrangements under which SHCs were removed from the*

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Facility, and identity all parties to each contract, agreement, or other arrangement described. Distinguish between the Relevant Time Period and the time period since 1988.

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 18 purports to seek information regarding SHCs that were sent to sites other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

19. *For each SHC, provide a complete explanation regarding the ownership of the SHC prior to delivery, while onsite, and after it was removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Honeywell further objects to Request No. 19 as it assumes that each SHC is somehow individually identified, tracked, used and reused by the same entity throughout the life of the SHC. There is no evidence that BAD operated in this way or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Request No. 19 purports to seek information that does not exist. As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 18 purports to seek information regarding SHCs that were sent to sites other than the BAD Site.

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20. *Identify all individuals who currently have, and those who have had, responsibility for procurement of Materials at the Facilities. Also provide each individual's job title, duties, dates performing those duties, current position or the date of the individual's resignation, and the nature of the information possessed by each individual concerning Respondent's procurement of Materials.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Request No. 20 purports to seek information relating to Honeywell's Facilities that is not relevant to contamination at the Site. Honeywell further objects to Request No. 20 as it purports to seek information regarding procurement of "Materials" at facilities other than the BAD Site and thus goes beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment.

21. *Describe how each type of waste containing any SOIs was collected and stored at the Facilities prior to disposal/recycling/sale/transport, including: (a) the type of container in which each type of waste was placed/stored; (b) how frequently each type of waste was removed from the Facility; distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 21 purports to seek information regarding collection and storage of "any SOIs" at facilities other than the BAD Site. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

22. *Describe the containers used to remove each type of waste containing any SOIs from the Facilities, including but not limited to: (a) the type of container (e.g. 55 gal. drum, dumpster, etc.); (b) the colors of the containers; (c) any distinctive stripes or other markings on those containers; (d) any labels or writing on those containers*

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(including the content of those labels); (e) whether those containers were new or used; and (f) if those containers were used, a description of the prior use of the container. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Honeywell further objects to Request No. 22 as it assumes that each SHC is somehow individually identified, tracked, and used and reused by the same entity throughout the life of the SHC. There is no evidence that BAD operated in this way or that it tracked SHCs for its customers such that this information is available. Generally, SHCs, such as drums sent to drum reconditioners by a customer, are fungible commodities and are not individually tagged or tracked to ensure their return to that particular customer. Accordingly, Request No. 22 purports to seek information that does not exist.

As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." Moreover, the 104(e) Request defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, DDT, chlordane, dieldrin, and PCBs." Honeywell further objects to Request No. 22 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Honeywell has limited its review of documents and information to the COCs identified by EPA. Additionally, Honeywell objects to Request No. 22 as it purports to seek information regarding containers used to remove each type of waste containing any SOIs from the Facilities and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, please refer to Honeywell's response to Question 2.

23. *For each type of waste generated at the Facilities that contained any of the SOIs, describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling and identify all parties to each contract, agreement, or*

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other arrangement described. State the ownership of waste containers as specified under each contract, agreement, or other arrangement described and the ultimate destination or use for such containers. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." Moreover, the 104(e) Request defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, DDT, chlordane, dieldrin, and PCBs." Honeywell further objects to Request No. 23 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Honeywell has limited its review of documents and information to the COCs identified by EPA. Additionally, Honeywell objects to Request No. 23 as it purports to seek information regarding waste generated at any Facilities that contained any SOIs and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site.

24. *Identify all individuals who currently have, and those who have had, responsibility for Respondent's environmental matters (including responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes and SHCs). Provide the job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying all individuals who currently have, and those who have had, responsibility for Honeywell's environmental matters at all of Honeywell's Facilities, including those that have no nexus to the BAD Site, is not feasible due to Honeywell's more than 100-year history, which includes a wide variety of operations in locations all over the world.

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25. *Did Respondent ever purchase drums or other containers from a drum recycler or drum reconditioner? If yes, identify the entities or individuals from which Respondent acquired such drums or containers.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Identifying all drum recyclers or drum reconditioners from which Honeywell has ever acquired such drums or containers is not feasible due to Honeywell's more than 100-year history, which includes a wide variety of operations in locations all over the world.

26. *Prior to 1988, did Respondent always keep its waste streams that contained SOIs separate from its other waste streams?*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Honeywell further objects to Request No. 26 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Honeywell has limited its review of documents and information to the COCs identified by EPA.

27. *Identify all removal and remedial actions conducted pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq., or comparable state law; all corrective actions conducted pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; and all cleanups conducted pursuant to the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq. where (a) one of the COCs was addressed by the cleanup and (b) at which Respondent paid a portion of cleanup costs or performed work. Provide copies of all correspondence between Respondent and any federal or state government agency that (a) identifies a COC and (b) is related to one of the above-mentioned sites.*

RESPONSE:

ARNOLD & PORTER LLP

Mr. Craig Whitenack
January 11, 2010
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In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. As stated in the 104(e) Request, "EPA is seeking to identify parties that have or may have contributed to contamination at the Site." However, Request No. 27 purports to seek information regarding a broad range of removal and remedial actions, corrective actions and cleanups. Moreover, identifying all such removal and remedial actions is not feasible due to Honeywell's extensive history and operations throughout the United States. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this request is not relevant to the Site. Honeywell further objects to Request No. 27 to the extent that EPA is already in possession of the requested documents, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

28. *Provide all records of communication between Respondent and Bay Area Drum Company, Inc.; Meyers Drum Company; A.W. Sorich Bucket and Drum Company; Waymire Drum Company, Inc.; Waymire Drum and Barrel Company, Inc.; Bedini Barrels Inc.; Bedini Steel Drum Corp.; Bedini Drum; or any other person or entity that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California.*

RESPONSE:

In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. DTSC conducted an extensive investigation of the BAD Site and Honeywell's operations in connection with it. DTSC's files include extensive records concerning the Bay Area Drum Company, Inc. and other persons and entities that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California. Honeywell understands that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

29. *Identify the time periods regarding which Respondent does not have any records regarding the SOIs that were produced, purchased, used, or stored at the Facilities.*

RESPONSE:

ARNOLD & PORTER LLP

Mr. Craig Whitenack
January 11, 2010
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In addition to the General Objections set forth above, Honeywell objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. In responding to the 104(e) Request, Honeywell has undertaken a diligent and good faith search for, and review of, documents and information in its possession, custody or control and that are relevant to this matter. Moreover, Honeywell understands that EPA is already in possession of DTSC's files regarding the BAD Site. Honeywell is under no further obligation to identify time periods to which these documents do not pertain.

30. *Provide copies of all documents containing information responsive to the previous twenty-nine questions and identify the questions to which each document is responsive.*

RESPONSE:

Honeywell objects to Request No. 30 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site; thus, Honeywell has limited its review of documents and information to the COCs identified by EPA. Honeywell further objects to Request No. 30 as it purports to seek copies of documents containing information responsive to the previous twenty-nine questions. DTSC conducted an extensive investigation of the BAD Site and Honeywell's operations in connection with it. DTSC's investigation included an information request to AlliedSignal and the DTSC files include that Response to DTSC's information request, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

Please contact me should you have any additional questions.

Sincerely,



Kerri L. Stelcen

Enclosure

ARNOLD & PORTER LLP

Mr. Craig Whitenack
January 11, 2010
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cc: Tom Byrne, Honeywell



Allied-Signal Inc.
Law Department
P.O. Box 2245
Morristown, NJ 07962-2245
(201) 455-2817

DEPARTMENT OF TOXIC
SUBSTANCES CONTROL
"OFFICIAL FILE COPY"

January 20, 1992

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ms. Monica Gan
California Environmental
Protection Agency
Department of Toxic Substances Control
Site Mitigation Branch, Region 2
700 Heinz Avenue, Suite 200
Berkeley, California 94710

Re: Bay Area Drum Site

Dear Ms. Gan:

I enclose two copies of Allied-Signal's response to the Request for Information regarding this Site. Thank you for your courtesies in extending us the additional time to respond.

Very truly yours,

A handwritten signature in cursive script, appearing to read "David P. Cooke".

David P. Cooke
Counsel

DPC:pv

Enclosure



Allied-Signal Inc.
Law Department
P.O. Box 2245
Morristown, NJ 07962-2245
(201) 455-2817

January 20, 1992

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ms. Monica Gan
California Environmental
Protection Agency
Department of Toxic Substances Control
Site Mitigation Branch, Region 2
700 Heinz Avenue, Suite 200
Berkeley, California 94710

DEPARTMENT OF TOXIC
SUBSTANCES CONTROL
JAN 22 1992
BERKELEY, CALIF.

Re: Bay Area Drum Site

Dear Ms. Gan:

I enclose two copies of Allied-Signal's response to the Request for Information regarding this Site. Thank you for your courtesies in extending us the additional time to respond.

Very truly yours,

David P. Cooke
Counsel

DPC:pv

Enclosure

Re: Bay Area Drum Site
Allied-Signal's Response to
Information Request

General Statement

Allied-Signal Inc. has contacted all employees and reviewed all documents reasonably likely to have or reflect, as the case may be, any information responsive to the Information Request regarding the Bay Area Drum Site (the "Site"). The only Allied-Signal facility known or believed to have had any dealings with the Site is its Baron-Blakeslee facility in Newark, California (the "Facility").

The individuals known to have direct knowledge or information concerning the Facility and its relationship to the Site are:

Robert Block
Manager - Solvent Operations

Jim Cramer
Terminal Manager

Home Address:

Home Address:

Privacy Act

Privacy Act

Work Address:

Work Address:

1634 South Laramie Avenue
Cicero, IL 60650

8333 Enterprise Drive
Newark, CA 94560

Other persons, including former employees, may have or may have had such knowledge or information, but Allied-Signal at present is not specifically aware of any such persons.

The only information found concerning any relationship between the Facility and the Site is contained in the attached four manifests for the disposal or refurbishing of RCRA-empty drums during 1986 and 1987. Also attached are copies of purchase requisitions corresponding to such manifests, as well as copies of a 1987 ledger sheet containing entries corresponding to such manifests. These ledger sheets also indicate shipments of drums to other

entities, none of which are believed to be associated with the Site. (the "Myers Drum Co." entry appears to refer to an entity in Oakland, California.)

1.A. See General Statement.

The Facility is a terminal for the distribution in drums of a variety of fluorinated and chlorinated solvents as well as lesser quantities of alcohols and ketones. Some of the alcohols and ketones are utilized in solvent blends.

The specific number of drums obtained is not known but is estimated to have been approximately 5000-6000 per year in the mid 1980's.

The majority of drums used have been steel, class 17E or 17F, 55-gallon capacity. Approximately 10-15% of the drums have been 5-gallon steel pails.

After use, drums have been either refilled with fresh product for sale, or sent out for refurbishing or scrapping.

After use, drums have been RCRA-empty.

Residual levels in drums have been verified by insertion of a sampler or by visual observation.

B. See General Statement and answer to Question 1A.

The number of drums stored at the Facility is estimated to be 600 -55 gallon drums of material to be recycled or otherwise disposed and 90 55-gallon drums and 400 5-gallon pails of commercial product.

C. See General Statement and answer to Question 1A-1B.

Except to the extent of any residual hazardous substances in drums, the Facility has not disposed of hazardous substances at the Site. Residual levels in drums has been verified by insertion of a sampler or by visual observation. Empty drums were refurbished or scrapped.

D. See General Statement and answers to Questions 1A-1C.

2. See General Statement.

3. Allied-Signal Inc. was incorporated in Delaware on May 13, 1985, and ultimately became the successor to The Signal Companies Inc. and Allied Corporation (the latter being a New York corporation which changed its name from Allied Chemical Corporation in 1981 and Allied Chemical and Dye Corporation in 1958, it being incorporated in New York under that name in 1920.) Allied Corporation acquired the shares of Baron-Blakeslee Inc. in July 1985. Baron-Blakeslee Inc. was merged into Allied-Signal Inc. in December 1987. Copies of the Allied-Signal articles of incorporation are attached. See 1990 Allied-Signal Annual Report, attached hereto.

4. See 1990 Allied-Signal Annual Report, attached hereto.

5. Allied-Signal Inc. is covered by a large number of policies and is currently in litigation with respect to the scope of many of them as to environmental matters. A copy of the complaint is attached hereto. To the extent that only the Baron-Blakeslee unit had any connection to the Site, few if any of such policies are likely to provide any coverage.

6. None.

7. See General Statement and answers to previous Questions.

8. Robert Block
Robert Ford
David P. Cooke, Esq. (Questions 3,4 and 5 only)